

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS,  
AUSTIN DIVISION

EDWARD RANDOLPH  
TURNBULL IV,

*Plaintiff,*

v.

COMMISSION FOR LAWYER  
DISCIPLINE; THE OFFICE OF THE  
CHIEF DISCIPLINARY COUNSEL;  
SEANA WILLING, in her Official  
Capacity as Chief Disciplinary Counsel of  
the State Bar of Texas, and in her  
individual capacity; AMANDA M.  
KATES, in her Official Capacity as  
Assistant Disciplinary Counsel for the  
Office of the Chief Disciplinary Counsel,  
and in her individual capacity; JOHN S.  
BRANNON, in his official capacity as  
Assistant Disciplinary Counsel for the  
Office of the Chief Disciplinary Counsel,  
and in his individual capacity; TIMOTHY  
J. BALDWIN, in his official capacity as  
Administrative Attorney for the Office of  
the Chief Disciplinary Counsel, and in his  
individual capacity; DANIEL  
MARTINEZ, in his official capacity as  
Assistant Disciplinary Counsel for the  
Office of the Chief Disciplinary Counsel,  
and in his individual capacity; DANIELA  
GROSZ, in her official capacity as  
Assistant Disciplinary Counsel for the  
Office of the Chief Disciplinary Counsel,  
and in her individual capacity; JENNY  
HODGKINS, in her official capacity as the  
Executive Director & General Counsel  
with the Board of Disciplinary Appeals,  
and in her individual capacity; Laura  
Gibson, Cindy V. Tisdale, Sylvia Borunda  
Firth, Benny Agosto, Jr., David N.  
Calvillo, Elizabeth Sandoval Cantu, Luis  
Cavazos, Craig Cherry, Jason  
Charbonnet, Kelly-Ann F. Clarke, Jeff

CASE NO. 1:23-cv-00314

JURY TRIAL DEMANDED

Cochran, David C. Courreges, Thomas A. §  
 Crosley, Steve Fischer, Lucy Forbes, §  
 Gregory M. Fuller, August W. Harris III, §  
 Matthew J. Hill, Forrest L. Huddleston, §  
 Lori M. Kern, Modinat Kotun, Bill §  
 Kroger, Dwight McDonald, Carra Miller, §  
 Lawrence Morales II, Lydia Elizondo §  
 Mount, Kimberly M. Naylor, Jeanine §  
 Novosad Rispoli, Michael J. Ritter, Audie §  
 Sciumbato, Mary L. Scott, John Sloan, D. §  
 Todd Smith, G. David Smith, Paul K. §  
 Stafford, Alex J. Stelly Jr., Nitin Sud, §  
 Radha Thiagarajan, Robert L. Tobey, §  
 Aaron Z. Tobin, Andrew Tolchin, G. §  
 Michael Vasquez, Kimberly Pack Wilson, §  
 and Kennon L. Wooten in their official §  
 capacities as Members of the Board of §  
 Directors of the State Bar of Texas, §  
*Defendants.* §

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**PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL OF  
 DEFENDANT AMANDA M. KATES WITHOUT PREJUDICE**

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PLEASE TAKE NOTICE that Plaintiff Edward Randolph Turnbull IV (“Plaintiff”) in the above entitled action, voluntarily dismisses his action against Defendant Amanda M. Kates (“Defendant Kates”) in her Official Capacity as Assistant Disciplinary Counsel for the Office of the Chief Disciplinary Counsel, and in her individual capacity pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, permitting dismissal of an action by the plaintiff without order of court, by filing of a notice of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment. *See* FED. R. CIV. P. 41(a)(1)(A)(i); *see also Nat’l City Golf Fin. V. Scott*, 899 F.3d 412, 415 n.3 (5th Cir. 2018) (“Rule 41(a) permits a plaintiff to dismiss just one defendant, ‘even though the action against another defendant would remain pending’”) (quoting *Plains Growers, Inc. ex rel. Florists’ Mut. Ins. Co. v. Ickes-Braun Glasshouses, Inc.*, 474 F.2d 250, 253 (5th Cir. 1973)). As of the time of this filing, Defendant

Kates has not filed an answer or a motion for summary judgment. As such, Plaintiff hereby gives notice of voluntary dismissal without prejudice of his action against Defendant Kates.

Respectfully submitted,

**WEST, WEBB, ALLBRITTON & GENTRY, P.C.**

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College Station, Texas 77845

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By: /s/ Gaines West

GAINES WEST

State Bar No. 21197500

Email ~ [gaines.west@westwebblaw.com](mailto:gaines.west@westwebblaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true and correct copy of this document upon each attorney of record through the Court's ECF system on this the 29th day of June 2023.

/s/ Gaines West

GAINES WEST